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7 Attorney for Kevin Figgers

8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,  
11 Plaintiff,  
12 v.  
13 KEVIN FIGGERS,  
14 Defendant.  
15

Case No. 2:20-mj-00302-DJA

**ORDER TO CONTINUE**  
**PRELIMINARY HEARING**  
(Ninth Request)

16 IT IS HEREBY STIPULATED AND AGREED, by and between Christopher Chiou,  
17 Acting United States Attorney, and Melanee Smith, Assistant United States Attorney, counsel  
18 for the United States of America, and Rene L. Valladares, Federal Public Defender, and Nisha  
19 Brooks-Whittington, Assistant Federal Public Defender, counsel for Kevin Figgers, that the  
20 Preliminary Hearing currently scheduled on August 16, 2021 at 4:00 p.m., be vacated and  
21 continued to August 30, 2021 at a time convenient to the Court.

22 The Stipulation is entered into for the following reasons:

23 1. The parties have reached a proposed resolution in this matter that would obviate  
24 the need for a preliminary hearing. Further, an arraignment and plea hearing is scheduled for  
25 August 23, 2021, thus continuing the preliminary hearing will allow the parties to proceed with  
26 the scheduled arraignment and plea hearing.

2. The defendant is incarcerated and does not object to the continuance.

3. The parties agree to the continuance.

4. The additional time requested by this stipulation is excludable in computing the time within which the indictment must be filed pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(b), considering the factors under Title 18, United States Code, Section 3161(h)(7)(A) and (B)(i) and (iv). The additional time requested by this stipulation also is excludable in computing the 90-day speedy trial clock imposed by the Speedy Trial Act, Title 18, United States Code, Section 3161(c), considering the factors under Title 18, United States Code, Section 3161(h)(7)(A) and (B)(i) and (iv).

5. This continuance is not sought for purposes of delay, but to account for the Court's limited resources and the necessary social-distancing in light of the COVID-19 public health emergency.

6. Denial of this request could result in a miscarriage of justice, and the ends of justice served by granting this request outweigh the best interest of the public and the defendant in a speedy trial.

This is the ninth stipulation to continue filed herein.

DATED this 4th day of August 2021.

RENE L. VALLADARES  
Federal Public Defender

CHRISTOPHER CHIOU  
Acting United States Attorney

*/s/ Nisha Brooks-Whittington*  
By \_\_\_\_\_  
NISHA BROOKS-WHITTINGTON  
Assistant Federal Public Defender

*/s/ Melanee Smith*  
By \_\_\_\_\_  
MELANEE SMITH  
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,  
4  
5 Plaintiff,  
6 v.  
7 KEVIN FIGGERS,  
8 Defendant.

Case No. 2:20-mj-00302-DJA  
**ORDER**

9  
10 IT IS ORDERED that the Preliminary hearing currently scheduled for Monday,  
11 August 16, 2021 at 4:00 p.m., be vacated and continued to August 30, 2021 at the hour of  
12 4:00 p.m., Courtroom 3A.

13 5th  
14 DATED this \_\_\_\_ day of August 2021.



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16 UNITED STATES MAGISTRATE JUDGE  
17 DANIEL J. ALBREGTS  
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